

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY

Voluntary - Public

Date: 11/16/2009

GAIN Report Number: IS9024

Israel

Post: Tel Aviv

New PPIS Regulations

Report Categories:

FAIRS Country Report

Approved By:

Cynthia Iglesias Guven

Prepared By:

Yossi Barak

Report Highlights:

New Plant Protection Regulations (Plant Import), approved by the Knesset Economics and Finance Committees, were published March 25, 2009. These regulations are due to go into effect 90 days after their publication, that is – June 23, 2009. As of this date, the Plant Protection Regulations which have been around since 1970 (Importation of Plants), 5731-1970, will be revoked.

General Information:

After a decade-long "gestation period," during which the **Plant Protection Regulations (Plant Import, Plant Products, Pests and Regulated Articles)** have undergone revision, the task is now complete and the new regulations are finally seeing the light of day.

The import regulations, which have been around since 1970, have undergone a major change, and what was once a thin 8-page leaflet has now become a 129-page tome. The new regulations in Hebrew, including an unofficial translation to

English can be found on the web site of the Israeli Plant Protection and Inspection Services (PPIS): www.ppis.moag.gov.il/PPIS/ImportTozeret/rishayonyavua . The pdf. document at the bottom of the page contains the translation of the new regulations and the annexes.

The new Plant Protection Regulations (Plant Import), approved by the Knesset Economics and Finance Committees, were published March 25, 2009. These regulations were due to go into effect 90 days after their publication, that is – June 23, 2009. As of this date, the Plant Protection Regulations (Importation of Plants), 5731-1970, were revoked. Under section 20 of these regulations – "Transitional Provision": **"Licenses granted under the previous regulations and in force on the eve of the commencement of these regulations, will be deemed as though granted under these regulations."**

The import of plants into Israel is anchored in the Plant Protection Law – Plant Protection Regulations (Plant Import), which regulate the variety of plant material imported, pests and regulated articles: fresh produce (fruit, vegetables, cut flowers, etc.), propagation material, potted plants, growth media, vegetal feed for animals, edible kernels, etc.

Such import poses numerous risks to plant health in Israel because of the possible introduction of pests that do not exist in Israel, and their subsequent acclimatization and establishment, resulting in extensive economic damage to domestic agriculture as well as environmental harm to natural vegetation.

Owing to the dangers entailed in this type of import, every country is entitled to protect itself by prescribing import restrictions. This notwithstanding, the international trade agreements (WTO/SPS, IPPC) call for acting with transparency, with a commitment to harmonization and in conformity with international criteria with regard to all provisions and restrictions imposed on import, to prevent, insofar as possible, barriers to international trade.

The import regulations in force today, enacted back in 1970, do not jibe with the spirit of current international agreements regarding transparency and the establishment of phytosanitarily warranted restrictions.

Due to the foregoing reasons, it was decided at the Plant Protection and Inspection Services (PPIS) of the Ministry of Agriculture (in charge of enforcing the aforesaid regulations) to extensively modify the plant import regulations in terms of both structure and essence.

Following are the highlights of the modification:

A. License Exemption

The new import regulations introduce a substantive change in the licensing system, manifested by the exemption of a long list of plants and plant products from the requirement for an import permit.

All imported products have been categorized into three groups:

Third annex– Goods listed in this annex are exempt from an import permit and a phytosanitary certificate, but must be accompanied by a Certificate of Origin. Their release is conditional on a visual inspection at the port of entry and on being pest-free.

Fourth annex – Goods listed in this annex are exempt from an import permit, but must be accompanied by a phytosanitary certificate from the country of origin, complying with all the import requirements specified in the body of the annex. Their release is conditional on the approval of all the accompanying documents, on a visual inspection at the port of entry and on compliance with all the import terms.

Licensed import – An import permit application must be submitted for goods not appearing in the aforementioned annexes. Following a pest risk assessment (PRA), it will be decided whether to approve the application and under what restrictions. Such goods must be accompanied by an import permit, phytosanitary certificate and visual inspection at the port of entry as a condition for release from the port of entry.

Phytosanitary Certificate Exemption

Another change introduced into the new import regulations is the addition of a new annex (Third annex), giving a list of products exempt from the requirement of being accompanied by a phytosanitary certificate.

C. Transparency

In the new Plant Import Regulations there is full transparency as regards the phytosanitary means established for preventing the entry of pests with imported plants and plant products, so as to protect Israel's flora from the dangers inherent in such import. Such means have been established according to the PRA-determined risk level. This transparency is manifested in several ways:

First Annex – List of treatments approved as quarantine treatments.

Second Annex – List of quarantine pests of the State of Israel. This list includes all pests not existing in Israel, whose arrival with imported plant material is liable to endanger domestic agriculture and natural vegetation; therefore, their presence in an imported consignment is likely to prevent the entry of this consignment into Israel.

Third and Fourth Annexes – List of goods allowed for import into the State of Israel and enumeration of all the specific requirements (if any) for each product.

Seventh Annex – List of goods prohibited for import.

Fees

In the new regulations there has been a re-pricing of inspection costs (Eighth Annex – Fees). In addition, a fee will be charged for submitting a license application and for requesting a license copy.

The new regulations will significantly facilitate the import process and allow for the import of a variety of products, including also some not imported in the past and from new import sources, subject to a risk assessment. Likewise, the change will promote openness, transparency and conformance with the requirements of international agreements.

Nevertheless, the quarantine inspectors of the PPIS are charged with the task of ascertaining that the public's desire for variegated import from a variety of sources as well as the need to fulfill the State of Israel's commitment to international trade agreements does not lead to increased exposure to the potential dangers posed by such openness to domestic agriculture and natural vegetation.